

REMARKS

The foreign patent document listed in the Information Disclosure Statement filed July 17 has not been considered because a copy was not submitted with the IDS.

Pursuant to 37 C.F.R. 1.98(d), the British patent was disclosed and submitted in the parent patent application No. 08/929,600. Thus, the rules have been complied with and the reference should be considered. For the examiner's convenience, a new copy of the British patent is enclosed herewith along with a PTO Form-1449 so that it may be fully considered and checked off.

Claims 30-34, 43-45 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1, 3-8, 10, 12-15, 17-20, 22-23 and 25-45 were rejected under 35 U.S.C. 102(e) as being anticipated by Leroy. Claims 2, 9, 11, 16 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Leroy. While these rejections have been taken into account in rewriting new claims for this application, the rejections are now moot.

In the system of Leroy, responses in the form of phone calls are tracked "along with the time the call was received." (Leroy, col. 6, lines 7-8). This response data is obtained by polling each telephone at a predetermined frequency, in the embodiment treated herein approximately 100 times per second." (Leroy, col. 6, l. 29-31). Thus, whereas responses and call data are monitored by Leroy in correspondence or association with specific times, the stimuli are not monitored against the same fine time slice. Rather, Leroy shows and describes "manual event coding 101 into the processor 100 either in real time or after the conclusion of the promotion." (Leroy, col. 5, l. 2-4). Thus, the stimuli are associated with an entire segment with a start time and an end time that fully encompasses hundreds or thousands of time slices to which the phone call response data is associated. Thus, Leroy does not teach a system that can gauge an audience or individual reaction instantaneously to a stimulus. Leroy does not teach a data gathering and storing system that equally correlates stimuli and responses with the same time slices. For this reason, all of the new claims are in condition for allowance.

More particularly, in claim 49, stimuli are associated with the time slice in which each stimuli occurs. Responses are associated with respect to the same series of time slices. An associative mapping correlates each of the time slices with the stimuli and the

responses. This associative mapping and consistent use of times slices is neither taught, disclosed or suggested by Leroy. The same patentable distinction is present with respect to the program code of claim 60 and the correlator in claim 70.

Each claim should be considered on its merits. Dependent claim 52 is directed to a method in which at least two stimulus streams are analyzed including a video stream and an audio stream. Leroy merely discloses and teaches labeling an audio-video segment. Whereas Applicants' invention requires associating stimuli with time slices for each of the video stream and the audio stream.

Claim 53 further recites analyzing the audio stream to produce text strings. Applicants do not find such an act described or disclosed in Leroy. Claim 54 is even further directed to specifically associating stimuli by determining whether one of the text strings is present in a time slice of the audio stream. Given the multiple stimulus streams of claim 52, claim 55 further recites a multi-channel associative mapping. Leroy does not disclose or suggest mapping against multiple input streams.

In claim 56, Applicants recite using the times slices to which the responses have been mapped to also map those time slices against stimuli and stored frames of the stimulus stream or streams. While Leroy finely maps phone calls against time slices, there is no corresponding mapping of the stimuli and responses to those same fine time slices.

Given the above considerations, Applicants respectfully request the Examiner to consider the new claims filed herewith. Applicants submit that all of these claims distinguish over the art of record and early notice to that effect is respectfully solicited.

Respectfully submitted,

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